



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2104593

Applicant Name: Judy Tucker of Geise Architect for Peter Davis

Address of Proposal: 2310 South Forest Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of two, three-story single-family residences and six, three-story, duplex townhouses with accessory parking for 19 vehicles (11 within structures and eight within two carports). Project includes grading of 1,400 cubic yards of material.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC - Numerous Design Departures

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

* Early DNS Notice published August 15, 2002

BACKGROUND DATA

Site Description

Located between South Forest Street and South McClellan Street at 24th Avenue South, the undeveloped site is zoned Lowrise 1 (L1). Both 24th Avenue S. and S. Forest Street are unimproved at the project location. The 23,988 square foot site, adjacent to the Cheasty Greenbelt, is highly vegetated with blackberries and trees. The topography slopes downward to the east towards Rainier Avenue South. The average percentage of slope from east to west is approximately 15% and from the northeast corner to the southwest corner there is a grade change of 35 ft.



Vicinity

Zoning in the vicinity is predominately single family and lowrise residential. To the south, the property is zoned L1 and developed with townhouses. Properties to the west are zoned Single Family 5000 and developed with single family homes. To the east and north, land is zoned Lowrise 2 and Single Family respectively, but comprises part of the Cheasty Greenbelt.

S. McClellan Street is a two lane arterial with curb, gutter and sidewalk on the south side of the right-of-way. The north side of the right-of-way is improved with curb and gutter only. There is no street parking or street trees on either side. S. Forest St. terminates in a hammerhead turnaround at the parcel's southwest corner.

Proposal Description

The applicant proposes to construct a 14 unit complex consisting of six duplex buildings and two single unit buildings clustered around two common courtyards. A driveway would pass through the property with access at the terminus of S. Forest Street and connect to an improved 24th Avenue S. Three of the units would have their own driveways and garages off 24th Avenue S. The other units would either have garages or use of carports off the shared driveway. South Forest St. will remain unimproved; however, access to the site will be provided through a curb cut at the hammerhead turnaround.

All buildings are expected to be three stories high with some of the structures built into the slope to reduce the visual impact on the houses on the high side of the slope.

Public Comments

Six members of the public attended the Early Design Guidance meeting, all from the immediate neighborhood. The comments made, concerns raised and questions focused on the following; tree preservation; proximity and impacts to neighboring homes; preservation of view corridors into Cheasty Greenway; and the type of housing units to be built.

Three community members attended the Final Recommendation meeting. Their comments and questions focused on the complex's interior orientation, the need for additional screening between the project and neighboring single family houses, and density. A lengthy discussion occurred over the question of whether the proposed screening was adequate. A neighbor asked for the planting of mature trees near the property line.

One letter was received representing individuals from several neighboring properties. The letter outlined their interest in proposed density, traffic impacts, noise, height, bulk and scale and proximity of structures to the property lines.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance Meeting on September 11, 2001. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design.

A-1 Responding to Site Characteristics: *The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

The architect needs to carefully analyze the sloping topography and significant vegetation in designing the fit of the structures on the site. Subsequent design presentations should show how the “face” of the development interacts with 24th Avenue S. and S. McClellan Street.

A-3 *Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.*

The Board wants to see design options that address the corner of S. McClellan and 24th Avenue S. by providing pedestrian entries, signage, trellis or other expressions. The Board felt that this corner should be designed as a welcoming area.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The proposed side setback on the west property line would be six feet which is the code requirement. The Board felt this edge needs to be softened along the entire west property boundary. The Board is supportive of a reduced setback on the south property line to create a more spacious courtyard between the buildings. In light of that flexibility, the Board felt the west setback should be increased to minimize disruption to the nearby residents.

A-6 Transition. Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board discussed the effect of a proposed driveway through the middle of the site; thereby potentially creating an unfriendly pedestrian environment. A different paving material or pattern and/or raised pavement should be used along the edges of the driveway to create an easily identifiable pedestrian walkway. Further, there needs to be a better pedestrian connection between the two halves of the development. This could be achieved by raised pavement (speed table) at a crossing and/or different paving material or pattern.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

See A-3.

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

Building colors and finish materials need to be chosen so that they are compatible and blend in with the neighborhood. This will assist in lessening any negative perception of height, bulk and scale. The proposed cluster development configuration does allow for some east-west views as compared to a traditional row of townhouses as developed to the south. As the development evolves and building location changes, the designer should continue to consider these views. Softening the western edge and increasing the setback will assist in lessening impacts from height, bulk and scale.

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.**

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

- C-4 Exterior Finish materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

The Board encouraged the designers to complement the neighboring single family homes with respect to building materials, colors and roof forms. The Board did not observe much stone in the neighborhood as identified by the designers. The Board was not opposed to metal roofing even though it is not prevalent in the neighborhood. The development needs to make each unit distinct to create a sense of single family homes by variation in color, texture, or materials. Painting the doors different colors does not fully achieve this goal. Building materials must be durable, attractive and compatible with the neighboring homes.

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunity for creating lively, pedestrian-oriented open space should be considered.**

Provide conceptual/design development level landscaping plans at the next meeting with specific attention to the courtyard areas. The pedestrian entrance needs to be enhanced at S. Forest Street. The design presented did not seem to provide much attention to this entrance.

- D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.**

Provide information on the retaining wall design that will be needed for the development. Such walls need to be integrated with the landscaping and be human scale.

- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and**

streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The driveways and garage entries should not be cave-like. At the next meeting provide details on how these areas will be attractively designed. Give attention to the design of the carport along the west boundary.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Provide well designed service areas and show these areas at the next meeting.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-2 Landscaping to Enhance the Building and/ or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Landscaping of the development will be important in meeting the design guidance, especially on the west property line.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on May 5, 2002.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation meeting on June 10, 2003, to review the applicant's formal project proposal developed in response to the previously identified priorities. At this public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the members' consideration.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Curb cut spacing. Minimum 30 foot spacing between driveways.
2. Width of curb cuts. Requirement is 20 feet.
3. Modulation. 30 feet with no principal entrance facing the street.
4. Front setback. 15 feet minimum or average of structures on either side.
5. Front setback. No detached parking structures in front setbacks.
6. Interior setbacks. Minimum of ten feet between structures.
7. Open space dimensions. Minimum horizontal distance of ten feet.
8. Open space size. 300 square feet per unit average and no less than 200 square feet per unit.

Recommendations

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

At the Early Design Guidance Meeting, the Board asked the applicant to examine the complex's relationship to the corner of South McClellan St. and 24th Ave. S. The applicant's explained at the Recommendation Meeting that a mid-block stair and entrance on S. McClellan St. was more suitable due to the considerable change in grade between the corner and the courtyard closest to S. McClellan St. The architect proposed to place a sign announcing the name of the complex at the corner rather than utilize the corner as an entrance into the complex. The Board accepted the applicant's argument favoring a mid-block entrance stairs.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

See A-1. The applicant responded to earlier comments focused on the corner of 24th Ave. S. and S. McClellan by adding signage at the corner but using the mid-block of S. McClellan for the entrance. The Board agreed.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The west property line of the site represents a zoning demarcation between Single Family 5000 (SF5000) and the project's L1 zone. If built out as allowed by the Land Use Code, the project would increase the density of the neighborhood. At both Design Review meetings, the transition between the two zones was an issue. The Board recommended at the final meeting that additional planting of columnar trees on the west property line would ensure more privacy. The Board asked that no planting of trees occur on the west property line where the driveway's east/west axis occurs in order to preserve views into the adjacent greenbelt. The Board also recommended that the fence separating the zones should have a trellis at six and eight feet with vegetation growing on it.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The initial landscape design did not recognize that the driveway separating the two clusters of townhouses would be used by pedestrians. The Board asked the architect at the earlier meeting to vary the pavers or change the grades to create both a crosswalk joining the two courtyards and a sidewalk or path along the driveway's length. This was only partially accomplished at the time of the Recommendation Meeting. At the latter meeting, the Board recommended that pavers on both sides of the driveway's length be added to enhance pedestrian safety. This is particularly important as visitors parking on 24th Ave. S. will likely climb the driveway to enter into one of the two courtyards.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

See A-3.

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

At the Early Design Guidance Meeting, the Board and neighbors asked that appropriate design techniques be used to reduce the scale of the three-story townhouses and provide an edge between the two residential zones that would lessen the potential abruptness between the density and heights of the two zones. The architect responded by varying the color of adjacent townhouses, building into the hillside with day-lit lower levels, and adding landscaping along the property's western edge. The Board recommended additional landscaping along the west property line.

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The Board liked the cottage-like style of the proposed townhouses. The Board recommended that the trim and the style generally follow the design of the developer's built project at South Grand Street and 28th Avenue South. Photos of the similar project were added to the record.

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

See C-1. The Board did not make further comments.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

At the Early Design Guidance Meeting, the Board asked that the project team make each unit distinct by variation in color, texture or materials. The architect's response shows color and overall design variations in each unit. The Board did not make further recommendations.

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Earlier the Board requested conceptual/design development level landscaping plans to be presented at the Recommendation Meeting. At the latter meeting, the Board reviewed and approved the landscaping plan for the courtyards.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

Given the site's steep slope, the necessity of retaining walls was apparent at the earlier design review meeting. The project team minimized the retaining walls by stepping each townhouse in response to the slope and adding rockeries and plantings. The Board accepted the current design.

D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and

streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

Due to the needed retaining walls, the Board initially requested that the architect avoid creating driveways and garages with a cave-like appearance. At the Recommendation Meeting, the Board made no further comment on the appearance of the garages.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Based on the Board's earlier interest in the location of the service areas, the applicant's architect indicated at the Recommendation Meeting that City of Seattle Public Utilities agreed that each unit would be responsible for waste storage rather than the complex having one centralized recycling and waste storage facility.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The Board asked that service areas be well lit and secure. See response to D-6.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

At the Recommendation Meeting, the Board members recommended a revision of the landscape plan to include greater screening between the project and the homes to the west. They also stated that the design should include a connection between the sidewalk on 24th Ave. S. and the south courtyard.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

See response to E-1.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the June 10, 2003 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the June 10th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

NORMAL	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Spacing of curb cuts. SMC 23.54.030F.1.d	30' between driveways	Spaces of 10' and 18' between curb cuts on 24 th Av. S.	<ul style="list-style-type: none"> 24 Ave. S. terminates at project Only project related traffic on street. Separate driveways emphasize distinct townhouses. 	APPROVED
2. Width of curb cuts. 23.54.030F.1.b	20 feet.	22 feet for main driveway	<ul style="list-style-type: none"> Meets SDOT's turn around requirements for hammerhead turnaround. 	APPROVED
2. Modulation. 23.45.012	30' with no principal entrance facing the street.	40' wall without modulation (Bldg. #7).	<ul style="list-style-type: none"> Façade faces unimproved S. Forest St. and greenbelt. Little impact on undeveloped street and open space. 	APPROVED
3. Front setback 23.45.014A.1	15 feet.	7 foot setback	<ul style="list-style-type: none"> Front setback from unimproved S. Forest St. Little impact on undeveloped street and open space. 	APPROVED
4. Front setback 23.45.014G.1	No detached carports in front setbacks	Build carport in the front setback.	<ul style="list-style-type: none"> Front setback from unimproved S. Forest St. Would have little impact on undeveloped street and open space. 	APPROVED
5. Interior setbacks. 23.45.014D	Ten feet between structures.	6 feet	<ul style="list-style-type: none"> Allows for more space allocated to shared courtyards. 	APPROVED
6. Open space dimensions. 23.45.016B	No horizontal dimension less than 10 feet	6 feet in some areas.	<ul style="list-style-type: none"> Extends the openness of the courtyards into private open space. 	APPROVED
7. Open space size. 23.45.016A	300 sq. ft. per unit average and no less than 200 sq. ft. per unit.	Total open space per unit equals 420.3 sq. ft. Common open space per unit is 301.9 sq. ft. Private open space per unit equals 118.4 sq. ft.	<ul style="list-style-type: none"> Creation of common open space at courtyards. 	APPROVED

The Board recommended the following five conditions for the project based on the planner's assessment. (Authority referenced in the letter and number in parenthesis):

1. Plant mature deciduous columnar trees (minimum 4" caliper) along the west property line to increase separation between the single family and lowrise zones. Allow a view corridor along the east-west axis following the driveway. (A-5, B-1, E-1)
2. Design and build a trellis above the new fence at the west property line. The trellis should be between 6' and 8' and have vegetation grown over it. A-5, B-1, E-1
3. Design the driveway to provide two parallel walking paths at the perimeter and differentiate the paths from the driveway by a separate type of paving material subject to the approval by the DCLU planner. A-6
4. Design and build a path from the sidewalk in the 24th Ave. S. right-of-way to connect to the south courtyard. E-1

5. Use three distinct colors for the townhouse units. Create unified trim similar in style to the trim shown in the example at South Grand Street and 28th Ave. S. project (MUP # 2008016) (B-1, C-1)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated May 15, 2002) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely

impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M. and on Sundays from 10:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DCLU Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DCLU building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 12.5 feet and will consist of approximately 1,400 cubic yards of material. One thousand cubic yards of soil will not be reused on the site and will need to be disposed off-site by trucks. Four hundred cubic yards of soil will be reused as fill. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Most of the soil removed for the garage structures will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 100 round trips with 10-yard hauling trucks or 50 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Construction of the project is proposed to last approximately 10 months.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; and impacts to potential landslide prone areas.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains

other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, some impacts warrant further analysis.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that residential townhouse units generate 0.54 vehicle trips in the P.M. peak period per unit. The 12 townhouse units would generate approximately six vehicle trips per P.M. peak period. Single family units generate 1.02 vehicle trips in the P.M. peak period per unit. The two single family units would generate two vehicle trips per P.M. peak period. In total, the project would contribute eight vehicle trips in the P.M. peak period.

The new trips added to the p.m. peak traffic will not seriously affect operations of the nearby intersections, so no SEPA mitigation of traffic impacts to this intersection are warranted.

Access to the 14 residential units will occur from both South Forest Street and an improved 24th Avenue South.

Parking

The proposed 19 parking spaces exceed the Land Use Code requirement for on-site parking. The on-site parking supply is anticipated to meet adequately the demands of the project, which is typically assumed to be a rate of 1.5 spaces per unit. On-street parking will be available on 24th Ave. S. Since minimal spillover parking is anticipated, further SEPA mitigation of parking impacts is not warranted.

Plants and Animals

The City of Seattle designates the site as an Environmentally Critical Area for Wildlife. A habitat reconnaissance conducted by Shapiro and Associates indicates a variety of vegetation and wildlife. Six Hooker's willow trees were identified. Five of the six have a six inch diameter at breast height (DBH) and one has a 9.5 inch DBH. These have an exceptional tree designation according to the Seattle Municipal Code. The remainder of the trees on site were not listed on the "always should be designated as exceptional" category or did not meet the threshold diameter qualifications of the "should be designated as exceptional depending on several factors" category listed in the ordinance.

The consultant writes that although Hooker's willow is a fairly common species near Puget Sound and is not a listed state or federal species, it provides food and shelter for wildlife and can provide valuable shading. "Due to the location of these trees on the parcel, it is not possible or practical to avoid them for the proposed development plan." The consultant recommends that the northern border of the parcel be left to remain in a natural state, and cuttings be taken from the willows and planted along this proposed undisturbed edge of the parcel or transplanted into an area with similar habitat within the Cheasty Greenway. The project is conditioned to require proper techniques to provide cuttings and the appropriate replanting of the six Hooker's willow.

The Cheasty Greenway, which is classified as an “urban habitat wildlife area”, adjoins the site. Wildlife habitat value associated with the parcel ranked by the consultant as moderate because of native vegetation on the parcel, association to the greenway and the large quantity of blackberry shrubs that provide feeding and nesting for various birds. According to the Washington Department of Fish and Wildlife, no state or federally listed or proposed threatened or endangered wildlife species have been recorded in the vicinity of the proposed project. The site reconnaissance indicates that the property does not contain the proper habitat for any listed species.

Earth

The site has been mapped as a Potential Slide area by DCLU, which is part of an extensive steep slope and potential slide area that rings Beacon Hill. A geotechnical engineering study was conducted by Geotech Consultants, Inc. The firm’s analysis and recommendation have been reviewed by DCLU geotechnical staff that reviews the MUP and construction drawings.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Revise plans according to the following conditions.

1. Plant mature deciduous columnar trees (minimum 4” caliper) along the west property line to increase separation between the single family and lowrise zones. Allow an open east west axis following the driveway.

2. Design and build a trellis above the new fence at the west property line. The trellis should be between 6' and 8' and have vegetation grow over it.
3. Design the driveway to provide two parallel walking paths at the perimeter and differentiate the paths from the driveway by a separate type of paving material subject to the approval by the DCLU planner.
4. Design and build a path from the sidewalk in the 24th Ave. S. right-of-way to connect to the south courtyard.
5. Use three distinct colors for the townhouse units. Create unified trim similar in style to the trim shown in the example at South Grand Street and 28th Avenue South. (MUP # 2008016)

Non-Appealable Conditions

6. Any proposed changes to the exterior of the building or the site or must be submitted to DCLU for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DCLU and SDOT for review and for final approval by SDOT.
7. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DCLU planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
8. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

The owner(s) and/or responsible party (-ies) shall:

1. Cuttings shall be taken from the Hooker's willows. The process and technique of cutting and storing the cuttings will be based on practices outlined by Archsoft Consultant's George Braslaw in a memo (dated August 30, 2003) and USDA Technical Note #23. Enough cuttings will be made to ensure that the six Hooker's willows removed from the site will be restored.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

2. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M. and on Sundays from 10:00 A.M. to 5:00 P.M.:

A. Surveying and layout.

B. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

3. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DCLU prior to each occurrence.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and would not be subject to the additional noise mitigating conditions.

Prior to Issuance of a Certificate of Occupancy

4. Prior to planting, the landscape architect will initiate a pre-planting soaking for at least 24 hours before planting.
5. Time of planting. Preferably cuttings should be planted in early spring after frost has left the soil, but can be planted in fall as well. The Hooker's willows will be planted along the northern border of the parcel. This border will be left to remain a natural state.
6. Techniques recommended by Landscape Architect George Braslaw (memo dated August 30, 2003) and the USDA Technical Note 23 shall be used for planting.
7. Develop a maintenance plan to be submitted to the planner to ensure that if the Hooker's willows fail to survive, the owner(s) of the residential units will purchase nursery stock as a replacement.

Signature: (signature on file) Date: November 6, 2003

Bruce P. Rips, AICP, Project Planner
Department of Planning and Development
Land Use Services

BPR:bg

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